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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/334,386	06/16/1999	ROBERT A. WIEDEMAN	300P008463-U	5275

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EXAMINER

JAGANNATHAN, MELANIE

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 02/13/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/334,386

Applicant(s)

WIEDEMAN ET AL.

Examiner

Melanie Jagannathan

Art Unit

2666

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-17,26-39.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 2. NOTE: Applicant argues reference Chao does not disclose multiple copies of the packet are selectively generated based on a criteria that includes at least one of (whether was previously duplicated by a previous node, and (b) a direction of transmission, from source to destination or vice versa. Examiner contends Chao discloses system parameters including evaluating whether satellites are available to link source and destination gateways as part of multiple packet generation which teaches (b) of claimed subject matter. See column 5, lines 48-67 and column 6, lines 1-5. Regarding claims 5, 10, 28 and 33, Applicant argues prior art does not disclose TCP/IP packets as disclosed, however, Examiner contends Chao. discloses use of IPv4, IPv6 and gateway can recognize packets that were sent as duplicates. See column 5, lines 48-67 and column 6, 1-15. Regarding claims 8-9, 31-32, Applicant disagrees it would have been obvious to modify Chao to use low earth orbit and medium orbit satellites. Examiner contends the use of LEO and MEO would have been obvious due to LEO's close proximity to Earth minimizes propagation delay and both LEO and MEO provide voice and data service. Additionally, MEO operate at greater heights than LEOs providing larger areas of coverage thus needing fewer satellites. Regarding claims 11,12,34-35, Examiner contends Wiedeman et al. disclose gateway using power control information in order for power density of antenna not to exceed a certain threshold and to terminate the connection if the threshold is exceeded which teaches the claimed subject matter of semi-permanent links. Regarding claims 13-14,36, Wiedeman et al. discloses a satellite communication system with a vocoder external to the system and a user terminal equipped with a vocoder and Examiner maintains it would have been obvious to include encryption of voice data for security purposes .

For Seema S. Rao
Jul Duong
FRANK DUONG